

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

LANCE REBERGER,)	
)	
)	
Plaintiff,)	
)	
vs.)	
)	
ALL ESP CULINARY PERSONNEL et al.,)	
)	
Defendants.)	
)	

3:13-cv-00590-RCJ-VPC

ORDER

On July 31, 2014, the Court denied Plaintiff's motions for preliminary injunctive relief concerning his prison diet. Plaintiff asked the Court to reconsider on October 31, 2014. The motion is untimely under Rule 59(e) and must therefore be considered under Rule 60(b). *See, e.g., Mount Graham Red Squirrel v. Madigan*, 954 F.2d 1441, 1462–63 n.35 (9th Cir. 1992). Plaintiff identifies no inadvertence, fraud, or other basis for relief under the rule but simply reargues his motion.

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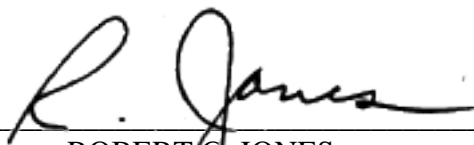
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CONCLUSION

IT IS HEREBY ORDERED that the Motion to Reconsider (ECF No. 47) is
DENIED.

IT IS SO ORDERED.

Dated this 9th day of January, 2015.



ROBERT C. JONES
United States District Judge